

REMARKS

This application has been carefully reviewed in light of the Office Action dated August 4, 2008. Claims 29 to 33 are in the application, of which Claims 29, 31 and 33 are independent. Reconsideration and further examination are respectfully requested.

The Office Action entered a rejection of Claims 29 to 32 under 35 U.S.C. § 103(a) over U.S. Patent 5,978,855 (Metz) in view of U.S. Patent 6,173,322 (Hu) and further in view of U.S. Patent 7,174,563 (Brownlie). Reconsideration and withdrawal of the rejections are respectfully requested, as explained in further detail below.

The claims are directed to secure transfer of job data in a digital cable network system. As explained in example embodiments of the invention, there is a determination as to whether the transfer will be effected by a referential transfer or by a direct transfer, and a determination of whether a secure pipe will or will not be used.

Thus, as set out in the independent claims, there is a determination at the sending component of a manner of transfer which is selected from a group consisting of all of (i) a referential transfer using a secure pipe, (ii) a referential transfer not using a secure pipe, (iii) a direct transfer using a secure pipe, and (iv) a direct transfer not using a secure pipe.

Moreover, as set out in the amended claims herein, in the case of a referential transfer, location information is transferred. More precisely, in the referential transfer, the sending component uploads job data to a predetermined location on a secure server, and further sends location information corresponding to the secure server to the

receiving component. The uploaded job data is received by the receiving component from the predetermined location on the secure server, wherein the uploaded job data is received in accordance with a request issued from the receiving component, and wherein the request includes the location information.

Again in terms of one example embodiment, Figures 6A through 6C provide flow diagrams for processing steps performed on a sending computing system for transferring data, and Figures 7A through 7C provide flow diagrams of processing steps performed on a receiving computing system for receiving data. See page 22, lines 4 to 8. On the sending side, step S602 generates a partial job ticket which is sent in step S603 to the recipient job component. The partial job ticket includes an IP address of the destination if the transport method is direct, whereas if the method of transfer is by-reference, the partial job ticket includes a URL which identifies the location (server and file name) of the data. See page 20, lines 4 to 18. On the receiving side, steps S703 and S704 determine whether or not a proposed manner of transfer is acceptable, as explained more fully in connection with Figure 8. As seen in Figure 8, partial job ticket information is examined. If it is determined that the method of transport is by-reference, processing continues at step S802 to attempt to access the server specified by the URL included in the partial job ticket information. The URL identifies the server from which the data is to be transferred. See page 23, lines 7 to 22.

It is thus one feature of the claims that in the case of a referential transfer, the sending component uploads job data to a predetermined location on a secure server, and sends location information corresponding to the secure server to the receiving

component. Correspondingly, the uploaded job data is received by the receiving component from the predetermined location on the secure server, wherein the uploaded job data is received in accordance with a request which includes the location information from the receiving component.

It is respectfully submitted that the applied art does not disclose or fairly suggest the claimed transfer of job data in a digital cable network system, wherein there is a determination of a manner of transfer which includes referential transfer or direct transfer, and wherein in the referential transfer, the sending component uploads job data to a predetermined location on a secure server and sends location information corresponding to the secure server to the receiving component, and wherein the uploaded job data is received by the receiving component from the predetermined location on the secure server, in which the uploaded job data is received in accordance with a request from the receiving component which includes the location information.

In entering the rejection, the Office Action conceded that the patents to Metz and Brownlie do not disclose or suggest a determination of direct or referential transfer. The Office Action cited to columns 11 and 12 of Hu, in support of its contention that a determination of direct versus referential transfer would have been an obvious expedient to those of ordinary skill in the art.

For their part, however, the Applicants believe that Hu does not disclose or suggest direct versus referential transfer as set out herein. Columns 11 and 12 describe two modes of operation: a proxy mode and a redirect mode. In the proxy mode, a proxy module 210 forwards client requests to a content server for servicing. See Hu, column 11,

lines 46 to 59, and Figure 10 thereof. In the redirect mode, if a direct connection between content server 106 and client 104 would result in significantly more efficient communication, then redirect module 212 responds so as to allow client 104 to contact the content server directly with a client request, and to receive response data directly. See Hu, column 12, lines 19 to 24 and 43 to 52, in connection with Figure 11.

The Office Action took the position that Hu's proxy mode corresponds to the referential transfer. See Office Action, page 4. Applicants respectfully submit that Hu's proxy mode cannot correspond to the claimed referential transfer, for the reason that in the claimed referential transfer, the sending component uploads job data to a predetermined location on a secure server and sends location information corresponding to the secure server to the receiving component. Furthermore, and correspondingly on the receiving component side, the uploaded job data is received by the receiving component from the predetermined location on the secure server, wherein the uploaded job data is received in accordance with a request from the receiving component which includes the location information.

Such features are not seen to be disclosed or suggested by Hu. This point is underscored in connection with Hu's Figure 12, which shows the handling of a new client request. As described in connection with Figure 12, step 1204 switches between communication by using an IP address obtained from a server and communication by using an already-stored IP address, depending on whether or not the IP address is stored in the device. If the IP address is already stored, then it is reused in steps 1208, 1212, 1216 and 1218. On the other hand, if the IP address is not already stored, then DNS is accessed so as

to determine the IP address of the selected content server. See step 1206. Importantly, in both instances, the IP address of the content server is determined by means which do not include sending by the sending component of location information corresponding to a secure server to the receiving component, and receiving by the receiving component in accordance with a request which includes the location information.

It is therefore respectfully submitted that the claims define subject matter that would not have been obvious to those of ordinary skill in the art, and allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", is written over a horizontal line.

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